

REMARKS

Restriction under 35 U.S.C. 121

Claims 1-115 have been cancelled without prejudice. Claims 116-118 are pending.

1. The Office has requested restriction as follows:

- I. Claims 4-35, 53-84 and 112-115, drawn to the employment of an individual antineoplastic agent.
- II. Claims 37-47, 86-96 and 101-111, drawn to the employment of an individual integrin antagonist.
- III. Claims 48-49, drawn to the treatment or prevention of an individual neoplasia disorder.

2. Applicants elect the following species without traverse:

- I. The neoplastic agent of Claim 25- tamoxifen;
- II. The integrin antagonist (3R)-N-[3-hydroxy-5-[(1, 4, 5, 6-tetrahydro-5-hydroxy-2-pyrimidinyl) amino]- benzoyl]glycyl-3-(3-bromo-5-chloro-2-hydroxyphenyl)- α -alanine. (compound I7 on page 48 of the specification); and
- III. The neoplasia breast cancer (from pages 66-69 of the specification).

3. Applicants elect the above species without prejudice to Applicants' right to file divisional applications directed to the subject matter not contained therein.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims now active in the present application are in condition for allowance. Therefore, passage of the application and claims to issue is requested.

Respectfully submitted,



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PATENT

Case SO3167/6Z-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

McKearn et al.

| GROUP ART UNIT: 1617

SERIAL NUMBER: 09/857,994

| EXAMINER: San Ming R. Hui

FILED: October 05, 2001

| DATE: March 20, 2003

TITLE: METHOD OF USING INTEGRIN ANTAGONIST AND ONE
OR MORE ANTINEOPLASTIC AGENTS AS A
COMBINATION THERAPY IN THE TREATMENT OF
NEOPLASIA

TECH CENTER 1600/2900

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APPENDIX TO AMENDMENTClean Version of inserted Claims 116-118

116.(New) A method for treating or preventing breast cancer in a mammal in need of such treatment or prevention, which method comprises administering to said mammal a therapeutically-effective amount of a combination of (3R)-N-[3-hydroxy-5-[(1, 4, 5, 6-tetrahydro-5-hydroxy-2-pyrimidinyl) amino]- benzoyl]glycyl-3-(3-bromo-5-chloro-2-hydroxyphenyl)-b-alanine and tamoxifen.

117.(New) A method for treating or preventing breast cancer in a mammal in need of such treatment or prevention, which method comprises administering to said mammal a therapeutically-effective amount of a combination of radiation therapy, (3R)-N-[3-hydroxy-5-[(1, 4, 5, 6-tetrahydro-5-hydroxy-2-pyrimidinyl) amino]- benzoyl]glycyl-3-(3-bromo-5-chloro-2-hydroxyphenyl)-b-alanine and tamoxifen.

118.(New) A combination comprising (3R)-N-[3-hydroxy-5-[(1, 4, 5, 6-tetrahydro-5-hydroxy-2-pyrimidinyl) amino]- benzoyl]glycyl-3-(3-bromo-5-chloro-2-hydroxyphenyl)-b-alanine and tamoxifen.